

Wetlands Bureau Decision Report

Decisions Taken
04/16/2012 to 04/22/2012

Review by
N/A
4/24/12

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2011-03141 GROUSBECK, PETER
WOLFEBORO Lake Winnepesaukee

Requested Action:

Construct a 6 ft x 36 ft piling pier to be attached to an existing 6 ft x 59 ft pier by a 6 ft x 12 ft walkway and impact 135 sq ft of bank along 16 ft of shoreline to construct a perched beach on an average of 547 ft of frontage along Lake Winnepesaukee in Wolfeboro.

DENY PERMIT:

Construct a 6 ft x 36 ft piling pier to be attached to an existing 6 ft x 59 ft pier by a 6 ft x 12 ft walkway and impact 135 sq ft of bank along 16 ft of shoreline to construct a perched beach on an average of 547 ft of frontage along Lake Winnepesaukee in Wolfeboro.

With Findings:

1. In accordance with RSA 482-A:3, XIV, Any request for additional information under this subparagraph shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application.
2. Pursuant to the Rule Env-Wt 501.02, Additional Data Requirements, plans must show sufficient detail to clearly define the project.
3. Pursuant to the Rule Env-Wt 501.02, Additional Data Requirements, (n), where topography is to be permanently altered, plans must show the existing and proposed topography.

Findings Of Fact

1. On December 16, 2011, the Department received an application for impacts related to the expansion of an existing docking system and construction of a new perched beach on property identified as lot 75, on Wolfeboro tax map 172.
2. On January 6, 2012 the Department issued a Request for More Information Letter to the Applicant requesting the submittal of plans identifying the "top of bank" as well as any temporary impact areas associated with the construction of the proposed perched beach and plans showing the existing and proposed topography in the vicinity of the proposed perched beach.
3. The January 6, 2012 letter explained that if the Department did not receive the requested information by March 6, 2012, the Application would be denied.

Ruling in Support of the Decision

1. The Applicant failed to submit the requested information by March 6, 2012, therefore the application is denied in accordance with RSA 482-A:3, XIV.

2012-00138 PEASE DEVELOPMENT AUTHORITY/DPH
HAMPTON Atlantic Ocean

Requested Action:

Impact a total of 6,050 sq. ft. in wetlands jurisdiction for work associated with the waterfront rehabilitation of the Hampton Harbor State Marina including: 1)the installation of 300 linear feet of sheet pile bulkhead approximately 30 inches forward of the existing deteriorated bulkhead and backfill void with annular fill. 2)replacement of the existing fender system consisting of 21 new fender piles along the face of the bulkhead. 3)removal of the 1,200 sq. ft. existing floating dock and replacing it with a 1,700 sq. ft. floating dock system with associated guide piles and gangway at the northern end of the facility. 4)installation of an additional 1,100 sq. ft. floating dock system with associated guide piles and gangway at the southern end of the facility.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of the wetlands permit for the rehabilitation of the

waterfront and shore land facilities at the Hampton Harbor State Marina."

Inspection Date: 03/23/2012 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 6,050 sq. ft. in wetlands jurisdiction for work associated with the waterfront rehabilitation of the Hampton Harbor State Marina including: 1)the installation of 300 linear feet of sheet pile bulkhead approximately 30 inches forward of the existing deteriorated bulkhead and backfill void with annular fill. 2)replacement of the existing fender system consisting of 21 new fender piles along the face of the bulkhead. 3)removal of the 1,200 sq. ft. existing floating dock and replacing it with a 1,700 sq. ft. floating dock system with associated guide piles and gangway at the northern end of the facility. 4)installation of an additional 1,100 sq. ft. floating dock system with associated guide piles and gangway at the southern end of the facility.

With Conditions:

1. All work shall be in accordance with plans by Appledore Marine Engineering, Inc. dated January 2012, as received by the NH Department of Environmental Services (DES) on January 20, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a)& (b), projects in tidal wetlands and/or surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a)and(c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 23, 2012. Field inspection determined the project should be approved ... need is demonstrated by the deteriorated condition of existing bulkhead & fender system.
6. Additional float system will not impede navigation, but will provide safe access to the water at the southern end of the facility.
7. Letter provided by Chief Harbor Master Tracy R. Shattuck states: "We examined the proposed site and found that the project will have no negative effect on navigation in the channel."

-Send to Governor and Executive Council-

**2012-00265
PITTSBURG**

STATE OF NH, FISH & GAME

Requested Action:

Dredge and fill 9,300 square feet (includes 2,705 square feet of temporary impacts) of the bed and banks of Scott Bog Pond to repair the existing dam. Work in jurisdiction includes placing rip-rap along upstream face of dam (2' above normal pool elevation and 2'

below normal pool elevation), regrading the upstream face of dam, and the repair/extension of boat launch area on the right side of dam.

APPROVE PERMIT:

Dredge and fill 9,300 square feet (includes 2,705 square feet of temporary impacts) of the bed and banks of Scott Bog Pond to repair the existing dam. Work in jurisdiction includes placing rip-rap along upstream face of dam (2' above normal pool elevation and 2' below normal pool elevation), regrading the upstream face of dam, and the repair/extension of boat launch area on the right side of dam.

With Conditions:

1. All work shall be in accordance with plans entitled Scott Bog Dam Repair; Pittsburg NH (Sheets 1-5; 11 of 11) as received by DES on April 19, 2012.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. The applicant shall coordinate and obtain approval from the New Hampshire Natural Heritage Bureau prior to any work that will require a change in water level.
4. The applicant shall coordinate and obtain approval from the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program prior to any work that will require a change in water level.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
17. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a major project per Administrative Rule Env-Wt 303.02 (h) Projects that disturb more than 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. Scott Bog Dam was originally constructed in the 1940s.

5. The pond provides fishing and recreation for the general public.
6. Water will be maintained within the downstream channel during the repair work.
7. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01 (g).
8. The wetlands to be impacted consist of the bed and bank of Scott Bog Pond.
9. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
10. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
11. The NH Natural Heritage Bureau review indicated that an exemplary natural community system, three associated natural communities and one-state threatened aquatic plant species upstream and downstream of the proposed dam reconstruction. As flow will be maintained during construction, most of NHB's concerns about downstream communities have been allayed. The applicant (DES Dam Bureau) is entering into a Memorandum of Agreement with the NH Natural Heritage Bureau to study the effects of drawdown on the plant systems upstream of the dam. The results of the experiment will inform future decisions regarding dam restoration.
12. The applicant will coordinate with NH Fish and Game to determine the best time for draw down due to the presence of loons in 2011.
13. This permit is condition upon the applicant coordinating and obtaining approval from the New Hampshire Natural Heritage Bureau and New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program prior to any work that will require a change in water level.
14. This project does not require compensatory mitigation in accordance with Administrative Rule Env-Wt 302.03(c)(2).
15. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and lacustrine resource, as identified under RSA 482-A:1.

2012-00433 PUBLIC SERVICE CO OF NH
GORHAM Peabody River

Requested Action:

Dredge and fill 6,125 square feet (includes 2,080 square feet of temporary impacts) of the bed and banks of the Peabody River to stabilize 475 linear feet of the bank with boulder deflectors, wood bar buddies, rip-rap and plantings (trees and live stakes).

APPROVE PERMIT:

Dredge and fill 6,125 square feet (includes 2,080 square feet of temporary impacts) of the bed and banks of the Peabody River to stabilize 475 linear feet of the bank with boulder deflectors, wood bar buddies, rip-rap and plantings (trees and live stakes).

With Conditions:

1. All work shall be in accordance with plans by HEB Engineers Inc., dated February 17, 2012, revised April 3, 2012 as received by the NH Department of Environmental Services (DES) on April 09, 2012.
2. The permittee shall designate a professional engineer who will be responsible for monitoring and ensuring that the areas are constructed in accordance with the plan.
3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the plantings and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.
5. The permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Appropriate siltation, erosion controls, turbidity, and sedimentation controls shall be utilized.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
21. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The work is needed to address damages resulting from Tropical Storm Irene and to protect the adjacent PSNH Hydro Station and adjacent portage path.
6. The agent found evidence that the adjacent banks on the peninsula were stabilized with river stone likely during the construction of the artificial channel.
7. Due to the dam, the Federal Energy Regulatory Commission requires a portage trail to provide public access from upstream to downstream of the dam.
8. The approved design includes a combination of stone armoring, diversion and bioengineering bank stabilization techniques. The agent stated that the boulder deflectors were designed to deflect water away from the bank and are spaced closely together due to the artificial fill composing the bank; the log structures between the boulder deflectors are intended to further baffle flow, enhance deposition at the base of the eroding bank, create a buttressing effect to prevent further erosion and improve aquatic habitat. The agent further stated that scour at the tips of the deflectors will also improve aquatic habitat by improving pool depth on a very shallow portion of the Peabody River.
9. There is an existing sewer force main located along the center of the river that prevents installing 20 foot long boulder deflectors. Due to the shorter deflectors, rip-rap will be installed to protect the Hydrostation.
10. The canoe/kayak launch could not be located upstream of the proposed location due to velocity and depth in the Androscoggin

River and shallowness of the Peabody River.

11. DES has not received any comments in opposition to the project.

12. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01 (g).

13. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.

14. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

15. This project does not require compensatory mitigation in accordance with Administrative Rule Env-Wt 302.03(c)(2).

16. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2012-00435 PERRY REVOC TRUST, ERNEST
SWANZEY Unnamed Wetland**

Requested Action:

Dredge and fill 9,873 square feet of California Brook at Cobble Hill Road to replace three 4-foot x 6-foot x 40-foot span CMP arches with twin 10-foot x 20-foot span precast concrete open-bottom rigid frame bridges.

APPROVE PERMIT:

Dredge and fill 9,873 square feet of California Brook at Cobble Hill Road to replace three 4-foot x 6-foot x 40-foot span CMP arches with twin 10-foot x 20-foot span precast concrete open-bottom rigid frame bridges.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated January, 2012, as received by the Department on February 27, 2012.
2. Copies of recorded construction easements from affected landowners outside of the existing road right-of-way shall be submitted to DES Wetlands File No. 2012-00435 prior to construction.
3. Work shall be done during low flow conditions.
4. This permit is contingent on receipt and approval, by the DES Wetlands Bureau, of final temporary siltation/erosion/turbidity control plans.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.

15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. Dam No. 232.13 is located approximately 1,450 feet downstream from the crossing and backwaters California Brook several hundred feet upstream from the crossing.
3. The backwater condition submerges the historic stream channel and does not allow accurately determination of the stream banks; therefore, in accordance with the Cowardin system, the resource was classified as a lacustrine system.
4. The design proposes to relocate the crossing approximately 75 feet to the east; the location of the historic channel. The current channel was dredged when the existing crossing was installed in 1975.
5. Pursuant to Env-Wt 904.09, an Alternative Design was submitted.
6. The engineering report states that the proposed structure will significantly decrease flooding of Cobble Hill Road by raising the elevation of the road, but will raise the 100-year flood stage by 0.2 feet. This change will not significantly increase the lateral extent of the flooding because the valley walls will still contain the floodwaters.
7. The engineering report indicates that the project site is a Zone A Special Flood Hazard Area (SFHA) and the estimated 100-year flood stage increase is in compliance with the requirements of the National Flood Insurance Program (NFIP).
8. The proposed span is 150% of the bankfull width.
9. The Alternative Design explains a minimum 150 foot span would be needed to maintain the existing 100-year floodplain elevations.
10. The submitted Tier 3 replacement alternative design meets the General Design Criteria to the maximum extent practicable per Env-Wt 904.09.
11. The submitted Natural Heritage Bureau (NHB) report stated, "We currently have no recorded occurrences for sensitive species near this project area..."
12. No comments of concern on the proposed project were received by DES.
13. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
14. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
15. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
16. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine/riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2007-00142 SOUTH MAMMOTH HOMES LLC
MANCHESTER Unnamed Wetland

Requested Action:

Request permit time extension.

APPROVE TIME EXTENSION:

Dredge and fill 9,905 sq. ft. of forested wetlands for construction of a 10-lot subdivision (previously consisted of 4 lots with two homes). Work in wetlands consists of the installation of a 3 ft. high x 5 ft. wide x 56 ft. long embedded box culvert, associated filling, grading and headwalls for the main access road, side slope grading for a driveway access to one lot, installing of a 24 in. (18 in. rise) x 36 ft. steel arch culvert, associated grading, filling and headwalls for a common driveway for two lots and installation of an outlet structure for the proposed stormwater treatment area.

With Conditions:

1. All work shall be in accordance with plans and narratives by TFMoran Inc., Existing Conditions plan sheet 2 of 18, dated March 5, 2007, as received by DES on March 22, 2007, plan sheets 1, 7, 9, 10 and 17 of 19, revision dated May 25, 2007 and narratives dated May 30, 2007, as received by DES on June 8, 2007 and narratives by Schauer Environmental Consultants, L.L.C., dated June 6, 2007, as received by DES on June 8, 2007.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA

482-A:3, XIV-a, and Env-Wt 502.01.

2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2011-02980 NH DEPT OF TRANSPORTATION
WHITEFIELD Unnamed Stream

Requested Action:

Slipline a 60 in. x 100 ft. CMP with a 54 in. traverse process insert and add stone protection at outlet to prevent scour and eliminate existing perched outfall impacting 1,020 sq. ft. (600 sq. ft. temporary) of riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Slipline a 60 in. x 100 ft. CMP with a 54 in. traverse process insert and add stone protection at outlet to prevent scour and eliminate existing perched outfall impacting 1,020 sq. ft. (600 sq. ft. temporary) of riverine wetlands. NHDOT project #16281.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 1 dated 4/5/12 as received by the Department on April 10, 2012.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. A start of construction notification shall be sent to this file 5 days prior to construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. Coordination with NH Fish and Game has resulted in a modified plan intended to alleviate the perched outlet.

2012-00057 NH DEPT OF TRANSPORTATION
LANCASTER Unnamed Stream Wetlands & Connecticut River

Requested Action:

Reset 12 ft. of an 18 in. culvert at the outlet and construct a headwall on Rte 3 and dredge approximately 1525 linear ft. of manmade swales and ditches at Rte 135 impacting 4,330 sq. ft. of palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

River Comm. - no comments

APPROVE PERMIT:

Reset 12 ft. of an 18 in. culvert at the outlet and construct a headwall on Rte 3 and dredge approximately 1525 linear ft. of manmade swales and ditches at Rte 135 impacting 4,330 sq. ft. of palustrine wetlands. NHDOT M107-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 1 dated 5/3/11 and 5/6/11 as received by the Department on Jan. 9, 2012.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during dry conditions.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Information from the US Fish and Wildlife Service indicates there should be no impacts to the noted species if the work is conducted during dry conditions.
6. The information relating to the emergency approval 2011-01250 was placed in that file and the file closed as the work was

completed.

MINIMUM IMPACT PROJECT

2011-01250 NH DEPT OF TRANSPORTATION
LANCASTER Unnamed Stream

Requested Action:

Confirm EMERGENCY AUTHORIZATION ISSUED 06/01/11 - Replace a failed 12" culvert with a 15" culvert impacting 36 sq. ft.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm EMERGENCY AUTHORIZATION ISSUED 06/01/11 - Replace a failed 12" culvert with a 15" culvert impacting 36 sq. ft.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(j).
2. The project was necessary to replace a damage culvert in order to protect the adjacent roadway.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 31, 2011.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2011-03144 US ACOE
CONTOOCCOOK

Requested Action:

Replenish 26350 sq ft of beach with 308 cubic yards of sand above permanent conservation pool elevation on Hopkinton Everett Lake, Contoocook.

Conservation Commission/Staff Comments:

No comments from Con Com by Jan 03, 2012

APPROVE PERMIT:

Replenish 26350 sq ft of beach with 308 cubic yards of sand above permanent conservation pool elevation on Hopkinton Everett Lake, Contoocook.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on December 16, 2011.
2. No more than 308 cu. yds. of sand may be used and all sand shall be located above the permanent conservation pool elevation.
3. This permit shall be used only once, and does not allow for annual beach replenishment.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), "projects deemed minimum impact by the department based on the degree of environmental".
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed replenishment is for the USACOE beach that is available for use by the general public. The beach area is located in an area frequently flooded during flood control operations associated with high rainfall events.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine resource, as identified under RSA 482-A:1.

2012-00567 NH DEPT OF TRANSPORTATION
EPPING Unnamed Wetland

Requested Action:

Install a 24 in. culvert or two 12 in. culverts under a rail trail to accomodate overflow events impacting 100 sq. ft. of palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

River Comm. - no comments

APPROVE PERMIT:

Install a 24 in. culvert or two 12 in. culverts under a rail trail to accomodate overflow events impacting 100 sq. ft. of palustrine wetlands. NHDOT project 2012-M607.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 6 dated 2/16/12 as received by the Department on March 12, 2012.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting/matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. No erosion control blankets with plastic netting may be used.
13. Concrete pipe is recommended to increase passage for moisture sensitive species.

FORESTRY NOTIFICATION

2012-00866 PARKER HEIRS, ELIZABETH
HOLLIS Unnamed Stream

COMPLETE NOTIFICATION:
Hollis Tax Map 2, Lot# 3

2012-00867 VAN VALZAH, ROBERT
RICHMOND Unnamed Stream

COMPLETE NOTIFICATION:
Richmond Tax Map 405, Lot# 59, 60, 63

2012-00893 YVON CORMIER CONSTRUCTION CORP
DERRY Unnamed Wetland

COMPLETE NOTIFICATION:
Derry Tax Map 8, Lot# 280-4

EXPEDITED MINIMUM

2012-00767 BAUM, H JAMES/CAROL
HANOVER Unnamed Wetland

Requested Action:
Dredge and fill 1,450 square feet of wetlands in an existing woods road to allow access to an existing cabin.

APPROVE PERMIT:
Dredge and fill 1,450 square feet of wetlands in an existing woods road to allow access to an existing cabin.

With Conditions:

1. All work shall be in accordance with plans received by DES on April 03, 2012.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
6. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant;
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. For most of its length the area on either side of the existing woods road is upland. The applicant stated that the woods road has become a wetland over time as a result of surface drainage collecting on the road surface, which in most cases is lower than the surrounding land.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2012-00786 MARY C SMITH REV TRUST 2008
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair a 34 ft breakwater, with a 6 ft gap at the shoreline, and a 4 ft x 35 ft cantilevered pier accessed by a 4 ft x 5 ft stairway and 4 ft x 4 ft landing on an average of 158 ft of frontage on Long Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com signed Application

APPROVE PERMIT:

Repair a 34 ft breakwater, with a 6 ft gap at the shoreline, and a 4 ft x 35 ft cantilevered pier accessed by a 4 ft x 5 ft stairway and 4 ft x 4 ft landing on an average of 158 ft of frontage on Long Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated March 21, 2012, as received by the NH

Department of Environmental Services (DES) on April 04, 2012.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

GOLD DREDGE

2012-00606 DUBE, CHRISTOPHER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConComm

2012-00909 GRACE, JOSEPH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-00939 BASNAR, DOUGLAS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-00955 BOWERS, BRANDON
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-00956 HOWE, THOMAS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-00957 SCHNEIDER, MATTHEW
(ALL TOWNS) Unnamed Stream

2012-00958 MARCEAU, PAUL
(ALL TOWNS)

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-00976 HILL, EDWIN
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2012-00933 ROSSI, KIM
WOLFEBORO Crescent Lake

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure

2012-00934 ROSSI, KIM
WOLFEBORO Crescent Lake

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure
Wolfefboro Tax Map 10, Lot# 27 Crescent Lake

2012-00938 **JOYCE, MICHAEL/NANCY**
MOULTONBOROUGH Lake Kanasatka

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure

ROADWAY MAINTENANCE NOTIF

2012-00943 **AMHERST DPW, TOWN OF**
AMHERST Unnamed Wetland

COMPLETE NOTIFICATION:
Replace a 12 in. with a 15 in. culvert, replace five 15 in. culverts and replace a 36 in. culvert.

2012-00974 **MASON HWY DEPT, TOWN OF**
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Extend an existing 12" culvert by 4 feet and reposition the headers

2012-00975 **MASON HWY DEPT, TOWN OF**
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Extend 3 12" RCP culverts by 4 feet and remove headwalls accordingly

PERMIT BY NOTIFICATION

2012-00842 **DONIGIAN, MARY**
SALEM Unnamed Wetland

Requested Action:
Dredge approximately 5,050 square feet of existing drainage swales along Pelham Road and Brookdale Road for continued usefulness.

Conservation Commission/Staff Comments:
The Salem Conservation Commission signed the PBN form.

PBN IS COMPLETE:

Dredge approximately 5,050 square feet of existing drainage swales along Pelham Road and Brookdale Road for continued usefulness.

2012-00917 BURGDORFF, GLYNIS
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2012-00656 MOULTON, JEFFREY
DERRY Big Island Pond

Requested Action:

Impact 4,660 sq ft in order to replace existing nonconforming structure with a more nearly conforming structure located further from the reference line, install a septic system, and add stormwater management features to control runoff.

APPROVE PERMIT:

Impact 4,660 sq ft in order to replace existing nonconforming structure with a more nearly conforming structure located further from the reference line, install a septic system, and add stormwater management features to control runoff.

With Conditions:

1. All work shall be in accordance with plans by Jeffrey C. Moulton dated April 16, 2012 and received by the NH Department of Environmental Services (DES) on April 17, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 7,212 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-00707 EMERALD LAKE VILLAGE DISTRICT
HILLSBOROUGH Gould Pond**

Requested Action:

Impact 35,700 sq ft in order to replace 13,700 linear feet of existing water main with new 8-inch diameter ductile iron main.

APPROVE PERMIT:

Impact 35,700 sq ft in order to replace 13,700 linear feet of existing water main with new 8-inch diameter ductile iron main.

With Conditions:

1. All work shall be in accordance with plans by Tata & Howard dated March 1, 2012 and received by the NH Department of Environmental Services (DES) on March 28, 2012.
2. No more than 1.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 271,013 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2012-00709 HOWELL, ANN
WOLFEBORO Wentworth Lake**

Requested Action:

Impact 4,912 sq ft in order to construct a 2 bedroom house with attached garage, driveway, and septic system.

APPROVE PERMIT:

Impact 4,912 sq ft in order to construct a 2 bedroom house with attached garage, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated March 14, 2012 and received by the NH Department of Environmental Services (DES) on March 28, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

4. At least 2,289 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2012-00711 HOWELL, ANN
WOLFEBORO Wentworth Lake

Requested Action:

Impact 5,862 sq ft in order to construct a 3 bedroom house with attached garage, septic system, and driveway.

APPROVE PERMIT:

Impact 5,862 sq ft in order to construct a 3 bedroom house with attached garage, septic system, and driveway.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated March 14, 2012 and received by the NH Department of Environmental Services (DES) on March 28, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,850 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2012-00712 DIGIOVANNI, EDMUND
ROCHESTER Cocheco River

Requested Action:

Impact 64,821 sq ft in order to construct a building, expand parking area and associated driveway, and a stormwater treatment system.

APPROVE PERMIT:

Impact 64,821 sq ft in order to construct a building, expand parking area and associated driveway, and a stormwater treatment system.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated February 1, 2012 and received by the NH Department of Environmental Services (DES) on March 28, 2012.
2. This permit is contingent on approval by the DES Alteration of Terrain and Wetlands Bureau.
3. No more than 32.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. At least 14,062 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. A professional engineer has certified that this project will neither concentrate run-off nor contribute to erosion.

2012-00713 HOWELL, ANN
WOLFEBORO Wentworth Lake

Requested Action:

Impact 1,915 sq ft in order to construct a driveway and install a septic system.

APPROVE PERMIT:

Impact 1,915 sq ft in order to construct a driveway and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated March 14, 2012 and received by the NH Department of Environmental Services (DES) on March 28, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 8.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,387 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-00744 HENDRICKSON, RAYMOND
HEBRON Newfound Lake

Requested Action:

Impact 1,750 sq ft in order to repair failing asphaltin like kind, install a stormwater drain, replace asphalt walkway with bluestone in like kind, and provide a 20ft x 20ft flat area supported by 20 sq ft of boulders.

APPROVE PERMIT:

Impact 1,750 sq ft in order to repair failing asphaltin like kind, install a stormwater drain, replace asphalt walkway with bluestone in like kind, and provide a 20ft x 20ft flat area supported by 20 sq ft of boulders.

With Conditions:

1. All work shall be in accordance with plans by B.A. Barnard Ent., Inc. dated January 1, 2012 and received by the NH Department of Environmental Services (DES) on March 30, 2012.
2. No more than 14.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2011-00374 CORMIER, MARK/MELANIE
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 7,548 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system and stormwater controls.

Inspection Date: 09/21/2011 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Impact 7,548 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system and stormwater controls.

With Conditions:

1. All work shall be in accordance with amended plans by Peter Cooperdock of Fernstone Associates, dated March 29, 2012, and received by the Department of Environmental Services ("DES") on March 30, 2012.
2. No more than 24.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts to natural ground cover shall occur within the waterfront buffer except that necessary for installation of the proposed well and removal of the concrete pad.
7. All areas temporarily disturbed within the waterfront buffer and following removal of rip-rap shall be replanted with native, riparian vegetation.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. In order to remain compliant with RSA 483-B:9, V, b),(2), the 3,391 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Merrymeeting Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, the Department shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of an infiltration trench around the perimeter of the proposed structure.
4. The applicant has proposed to remove impervious area from the waterfront buffer and replace it with native vegetation.
5. The applicant has proposed to install a new state approved septic system.
6. The applicant has proposed to install stormwater controls, install a new septic system reduce the total amount of impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2012-00885 LAHOUT, HERB
LITTLETON Ammonoosuc River

Requested Action:

Impact 15,141 sq ft to remove two existing residential structures and construct a new commercial structure with associated parking and stormwater collection and infiltration system.

APPROVE PERMIT:

Impact 15,141 sq ft to remove two existing residential structures and construct a new commercial structure with associated parking and stormwater collection and infiltration system.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated March 21, 2012 and received by the NH Department of Environmental Services (DES) on April 12, 2012.
2. No more than 88.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The stormwater infiltration system shall installed prior to the construction of the new commercial building.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. A professional engineer has certified that the project as designed will not concentrat run-off nor contribute to erosion. Therefore, pursuant to RSA 483-B:9, V, (g), (1), the proposed 88 % impervious cover is allowed.
2. The Applicant does not own the waterfront buffer area between the area to be impacted and the Ammonoosuc River.

